

J-1 VISA WAIVER PROGRAM GLOSSARY OF COMMON IMMIGRATION TERMS

A

A#

Alien Registration number. An A# is issued to all aliens applying for permanent residence.

Affidavit of Support

All persons seeking an immigrant visa based on family or employment must file this form (I-864). The sponsor must earn at least 125% of the federal poverty level for the total number of persons in the household, and/or have a certain amount of assets. The Affidavit of Support legally commits the sponsor to support the immigrant until the immigrant becomes a U.S. citizen, has 40 quarters of work, dies, or permanently leaves the United States. The sponsor must also pay back certain public benefits received by the immigrant (like Food Stamps, Medicaid, SSI and TAFDC).

Alien

The Immigration and Naturalization Service's (INS) term for foreign national

Alien Registration Receipt Card

Document known as the "green card" which is the identification card of permanent residents

B

Beneficiary

Person who received the benefit of entering the U.S.

D

Derivative status

Person who receives the benefit of entering the U.S. through a parent's or spouse's status.

Dual Citizenship

Having citizenship in two countries - Allowed in the U.S. as long as U.S. citizenship is not renounced or activities in second country are not beyond that of an ordinary citizen.

Department of Labor (DOL)

U.S. government agency involved with job-related visas. It receives applications for Labor Certifications and decides whether or not there is a shortage of American citizens available to fill a particular position in an U.S. company.

Department of State (DOS)

Operates U.S. embassies and consulates - Determines who is entitled to a visa or green card if the application is filed outside the U.S. at U.S. embassies or consulates. The INS under the Department of Justice regulates immigration processing inside the U.S.

Diversity Program (The Lottery)

An annual green card lottery program is held for persons born in certain countries. Each year, the Department of State determines which countries have sent the fewest number of immigrants to the U.S., relative to the size of the country's population. Green cards are then given to a certain number of persons from those countries. People who receive the lottery green cards are selected at random from everyone who registers for that year's lottery.

E

EB-1

Employment-based immigration category of visa for aliens of extraordinary ability.

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EB-2

Employment-based immigration category of visa for aliens with advanced degrees or exceptional ability.

EB-3

Employment-based immigration category of visa for aliens with bachelor's degrees. Most immigrants become residents through this category.

Employee

Describes a foreign person seeking U.S. immigration privileges through a job offer from a U.S. company who is therefore eligible for a green card in the preference categories and several nonimmigrant visas.

Employer

A U.S. company or individual who has made a firm job offer to a foreign person and is acting with that person in an attempt to acquire a preference category green card or nonimmigrant visa.

Employment Authorization

The permission required for the INS to work in the U.S..

Extension of Status

Allows an extension of time for remaining in the U.S. in a nonimmigrant status

F

F-1

Student Visa

Firm Resettlement

Alien entered another nation before the U.S. and then here receives permanent residency or citizenship.

Foreign National

Individual who is a citizen or a national of a country other than the U.S.

G

Green Card

Popular name for an Alien Registration Receipt Card, the plastic photo identification card given to individuals who successfully become legal permanent residents of the U.S.. It serves as a U.S. entry document in place of a visa, enabling permanent residents to return to the U.S. after temporary absences. Possession of a green card allows an individual to work in the U.S. legally. Those who hold green cards for a certain length of time may eventually become U.S. citizens. Green cards have a expiration date of ten years from issuance, and thus must be applied for every ten years.

H

H-1B

Visa for temporary skilled workers

H-1B Cap

Annual limit on number of H-1B visas issued

H-4

Visa for family members of H-1B visa holder

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I

I-94

Card given to all nonimmigrants upon entry to the U.S., indicating legal entrance - It states the place, date, status of entry and time allowed to remain in the U.S. Canadian visitors are not normally issued I-94 cards.

Immediate Relative

Spouses, parents, and children of U.S. Citizens

Immigrant

Any foreign national in the U.S. who is not a nonimmigrant

Immigration & Naturalization Service (INS)

U.S. government agency having primary responsibility for most matters taking place on U.S. soil concerning foreigners who enter the country - Petitions for visas and green cards, as well as U.S. filed applications for green cards and statuses are all submitted to offices of INS. INS is a branch agency of the U.S. Department of Justice.

Immigrant Visa

Issued after approval of a green card of a U.S. consulate or U.S. embassy is obtained - Enables an individual to enter the U.S., take up permanent residence and receive a green card.

J

J-1

Visa for doctors and researchers-usually tied to some sort of research grant or exchange program.

L

Labor Certification

Approval issued by the Department of labor of alien employment.

Legal Permanent Residents (LPR)

Status granted to immigrants by either the U.S. State Department abroad or by the INS in the U.S. The two most typical ways to obtain LPR statuses are (1) being related to a U.S. citizen or LPR (family unification) or (2) having job skills that are needed by a U.S. employer. Other ways to obtain LPR status include: having refugee status or asylum for one year, winning a slot in the visa lottery, being granted amnesty due to having lived a long time in the U.S., or being given the status by an immigration judge on the basis of hardship or other reasons.

N

National Visa Center (NVC)

Receives all approved green card petitions and green card lottery registrations directly from INS or the DOS. NVC initiates the final green card application process by sending forms and instructions to the applicant and forwarding the file to the appropriate U.S. consulate abroad.

Naturalization

The process whereby a foreign national acquires U.S. citizenship - A naturalized U.S. citizen has virtually the same rights as a native-born American citizen.

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Nonimmigrant

Temporary residents or visitors in the U.S. - Student, temporary workers and visitors are some of the most common nonimmigrants.

Nonimmigrant Visa

Document giving nonimmigrants the right to temporarily stay in the U.S.. Several different visas exist. Each nonimmigrant visa comes with a different set of privileges, such as the right to work or study, as well as different lengths of allowed stay in the U.S. In addition to a descriptive name, a letter of the alphabet and a number identifies each type of nonimmigrant visa.

O

O-1 Visa

Visa for highly acclaimed individual with extraordinary ability in the Sciences, Education, Business, or Athletics.

O-2 Visa

Visa for those accompanying or assisting the O-1 visa holder

P

Permanent Resident/Legal Permanent Resident

Person accorded the benefit of being able to reside in the U.S. on a permanent basis. Such person is awarded many but not all of the right and privileges that a U.S. citizen possesses. Permanent residents may travel as much as they like, but must keep their place of residence in the U.S. on a permanent basis. If they leave the U.S. and stay away for more than a year, they risk losing their green card.

Permanent Resident Card

Official name used in immigration law for a green card.

Practical Training

One year work authorization for the F-1 students who have terminated studies.

Priority Date

Date assigned to aliens for processing of green card. The INS will not process an immigrant petition until the date is current.

R

Refugee

A person outside of the U.S. and unable or unwilling to return to his or her country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, political opinion or membership in a particular social group.

U

U.S. Citizen

People born in the U.S., including Puerto Rico and other U.S. territories, acquire U.S. citizenship at birth. In addition, lawful permanent residents of the U.S. and certain U.S. military veterans can become citizens through a naturalization process.

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V

Visa

Document allowing request of permission to enter the U.S. at a designated port of entry

W

Work Authorization Card

Document that authorizes employment that is obtained concurrently with or after an adjustment of status is filed. It may be renewed at one-year intervals while an application for permanent residency is pending.